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FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)

Numbering Resource Optimization)

CC Docket No. 99-200)

OPPOSITION

Sprint Corporation, pursuant to the Public Notice released July 24, 2000, hereby respectfully its opposition to a portion of the petition for reconsideration filed by the Maine PUC in the above-captioned proceeding. As shown below, the Maine PUC's petition to require a joint Federal/State committee to review and approve "all" INC guidelines goes beyond the scope of the instant proceeding. Further, as Maine has not demonstrated that such review is necessary, Sprint believes that grant of this portion of Maine's petition for reconsideration will simply add an element of delay in the process of implementing the FCC's numbering resource policies.

In para. 183 of the *NRO Order*, the Commission directed the industry and the national thousands-block number pooling administrator "to follow the INC Pooling Guidelines relating to the functioning of the Pooling Administrator and entities requesting numbering resources from the Pooling Administrator" (footnote omitted). The Commission "reserve[d] the right, however, to direct the incorporation of modifications to the Guidelines as and when necessary" (*id.*). The Maine PUC requests reconsideration of this portion of the *NRO Order*, and has requested that "[a]ll changes to INC Guidelines ... be reviewed and approved by a joint federal and state committee" before such guidelines are "given the effect of law" (Maine PUC Petition, p. 7).

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List A B C D E

This portion of the Maine PUC's petition should be denied for several reasons. First, it goes far beyond the scope of the instant order. Paragraph 183 of the *NRO Order* relates to implementation of the INC's recommended guidelines governing administration of thousands-block pooling. However, the Maine PUC's petition would require review of **all** changes to INC guidelines by its proposed committee. If the Maine PUC in fact intended its petition to go to "all" changes to INC guidelines, it should present its recommendation to the Commission in the form of a petition for rulemaking; the Commission cannot, and should not, adopt such a wide-ranging change to its rules as the result of a petition for reconsideration of a far narrower order.¹

The Maine PUC further states that the industry "has failed to fairly and efficiently administer public numbering resources on its own," and that the INC is "controlled by the industry with ... very little participation by public representatives such as state commission staff" (p. 8). It is not clear precisely what failures the Maine PUC is referring to;² however, Sprint would note that the INC's efforts are driven by regulatory decisions and network configurations, and that there are generally a sufficient number of parties with competing concerns (*e.g.*, local versus long distance service providers, or incumbent versus competitive LECs) to prevent adoption of obviously discriminatory or

¹ See, *e.g.*, *Provision of Access for 800 Service*, 4 FCC Rcd 4347 (1999), rejecting a request by AT&T to mandate third party verification for all Resporg changes on the grounds that such request "goes beyond the scope of the *NASC Change Order* that is the subject of this reconsideration proceeding. Given that the *NASC Change Order* and the MCI petition concern only the requirements that should be imposed on the NASC, not on incumbent Resporgs, we do not have an adequate record before us to implement the requirements AT&T seeks" (footnote 5, p. 4349).

² In fact, the INC developed guidelines on issues such as number portability and pooling on a proactive basis. Such efforts meant that FCC directives in these areas could be

Footnote continued on next page

unreasonable guidelines. Moreover, while Sprint is certainly sympathetic to concerns about limited resources, such concern is not limited to state regulatory entities. Just as individual corporate participants must weigh the relative costs and benefits of participation in the INC process, so too must state commissions decide whether their participation is warranted and justified. Since state regulatory participation would be welcome and valuable to INC deliberations, perhaps the states jointly could appoint a representative to participate in this forum, and thereby spread the burden of such representation.³ Finally, it should be recognized that INC-developed guidelines such as those relating to thousands-block pooling are subject to review by the NANC (a neutral organization which includes strong state representation) as well as by the FCC, prior to adoption of those guidelines by the FCC. Thus, even if states do not regularly or actively participate in INC meetings (many of which are held via conference call), they (as well as the FCC) do have an opportunity to review recommended guidelines prior to their adoption.

Finally, the Maine PUC's petition should be denied because it introduces an additional step whose value has not been dispositively documented. Maine optimistically estimates that its proposed committee could review and dispose of guidelines recommended by INC in an extremely expeditious manner (perhaps as quickly as in a one hour monthly conference call after completion of initial review of all of the guidelines; see p. 10). However, if decisions on numbering guidelines can be made in an hour, it is

implemented far more quickly than would have been possible had the industry begun its work after the FCC issued such directive.

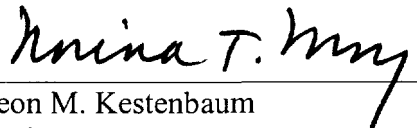
³ It is Sprint's understanding that registration fees designed to recover INC meeting costs are waived for state and federal regulatory participants.

likely that the guidelines are in fact reasonable and in compliance with FCC directives. Under these circumstances, the proposed review would add little to the process of implementing the recommended guidelines. On the other hand, if the proposed review process takes longer, even for reasons as basic as educating the participants of the review committee,⁴ implementation of FCC directives could be delayed, to the detriment of the public interest and the efficient management of numbering resources.

State regulatory participation in the development of industry numbering guidelines is important to the efficient and non-discriminatory allocation and use of numbering resources. However, because the proposed federal/state review committee is not the best means of achieving this goal, this portion of the Maine PUC's petition for reconsideration should be denied.

Respectfully submitted,

SPRINT CORPORATION



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⁴ As the Maine PUC emphasizes (p. 9), most state commissions do not have the financial or staffing resources to devote personnel to numbering issues. Thus, some effort would need to be expended to ensure that the PUC representatives are "up to speed" on the issue being considered. Even if the PUC representatives are well-versed with the regulatory aspects of a numbering resource issue, they are unlikely to be nearly as familiar with the network hardware and software factors, or the administrative and operational concerns, which are major considerations in the INC's deliberations.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **OPPOSITION OF SPRINT CORPORATION** was sent by hand or by United States first-class mail, postage prepaid, on this the 15th day of August, 2000 to the parties on the attached list.


Christine Jackson

August 15, 2000